

TRIBUTE TO RABBI CHAIM  
SEIDLER-FELLER

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 22, 1998*

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in recognizing Rabbi Chaim Seidler-Feller for his tremendous contributions as Director of Hillel Council at UCLA for more than two decades.

Hillel provides meaningful service to UCLA students by offering them an opportunity to experience Jewish life and ritual away from home. Many students come to Hillel to continue to practice in the Jewish faith, while others are introduced to the traditions of the faith at Hillel.

Rabbi Seidler-Feller has created and introduced many new and innovative programs at Hillel designed to embrace the diverse cross-section of the student population. For example, he has sponsored conferences and seminars that explore the unique relationship between African-American and Jewish students.

In addition to his remarkable contributions to Hillel, Rabbi Seidler-Feller has been actively involved as a teacher and lecturer at UCLA, Hebrew Union College, and the University of Judaism. We owe Rabbi Seidler-Feller a debt of gratitude for his vision, his devotion, and his support of this vital UCLA institution.

I am delighted to bring Rabbi Seidler-Feller's tireless and selfless work to the attention of my colleagues and ask you to join me in saluting him for his many important contributions.

IN HONOR OF THE FIFTIETH ANNI-  
VERSARY OF THE BAY VILLAGE  
LEAGUE OF WOMEN VOTERS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 22, 1998*

Mr. KUCINICH. Mr. Speaker, I rise today to honor a truly remarkable organization dedicated to promoting informed and active citizen participation in government. For the last fifty years, the Bay Village, Ohio chapter of the League of Women Voters has educated the citizens of Bay Village in each citizen's political responsibility. This organization effectively serves Bay Village in the arena of citizenship and public activism.

Founded in 1920, the national nonpartisan League of Women Voters established itself on the principles of voter responsibility. Women had just received the right to vote, and this organization wanted to ensure that all voters would have the necessary resources to cast an educated vote. The League of Women Voters of Bay Village continued this proud tradition with the establishment of the local chapter in 1948. On the fiftieth anniversary of the founding of this chapter, the League continues to make an educated voter its first priority. By supporting citizen participation in government and influencing public policy through education and advocacy, the chapter clearly has an influence on the educated voter.

For fifty years, the League of Women Voters of Bay Village has encouraged good citizen-

ship and voter understanding of government. This organization's outstanding service to the community and to the country is commendable.

My fellow colleagues, join me in celebrating the anniversary of a patriotic organization that is dedicated to the task of informing the average voter: The League of Women Voters of Bay Village, Ohio.

IN HONOR OF RABBI JOSEPH I.  
WEISS

**HON. CHARLES E. SCHUMER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 22, 1998*

Mr. SCHUMER. Mr. Speaker, I would like to take a few minutes today to honor and acknowledge a shining member of our religious community for his services to the people of the Rockaway Peninsula.

I ask my colleagues today to join me in recognizing Rabbi Joseph I. Weiss on the occasion of his 85th birthday for the many ways in which he has enriched his community with his religious leadership and adventurous spirit. His sense of civic duty has not stopped with his own temple, rather driving him to make a difference throughout all of New York.

Rabbi Weiss has served as spiritual leader of the congregation at the West End Temple in Neponsit New York for forty-nine years. He is a member of the New York Board of Rabbis and is past president of both the New York Association of Reform Rabbis and the Brooklyn Association of Reform Rabbis. He also serves as the first Vice-President of the National Association of Retired Reform Rabbis.

The Rabbi has an outstanding commitment to the community beyond his temple. He is the holder of the Shofar Award for service to Jewish Scouting in recognition for his time as a Board Member of the South Shore Division of the Boy Scouts of America. Rabbi Weiss has worked diligently to promote interfaith unity and to that end he has served as a board member for the Rockaway Interfaith Clergy and has been a hard-working member of the board for the Rockaway Catholic-Jewish Relations Committee. These commitments, plus his position as the Senior Active Member of the Rockaway Rotary Club have truly made a difference in the lives of others.

Rabbi Weiss received his B.A. in 1934 from the University of Cincinnati and his Rabbinical Ordination from Hebrew Union College in 1939. During World War II he was an Army Chaplain serving in the South Pacific and was the President of the Association of Jewish Military Chaplains of the United States. Before joining the West End Temple in 1949, Rabbi Weiss led Temple Israel in Columbus, Georgia from 1947 to 1948.

At 85, the Rabbi remains very active athletically and socially. He plays tennis and golf, ice skates, and is a member of the 70 Plus Ski Club. He is also a patron of the Rockaway Music and Arts Council. He has traveled extensively throughout the world and has made many visits to Israel.

It is my honor to recognize Rabbi Joseph I. Weiss today for both his religious guidance and his exuberant service to the State of New York.

ANTITRUST

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 22, 1998*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 8, 1998 into the CONGRESSIONAL RECORD.

AN ANTITRUST REVIVAL

The Justice Department's recent decision to sue defense giant Lockheed Martin to block its proposed \$12 billion purchase of Northrop Grumman reflects a trend toward tougher enforcement of our antitrust laws. The federal government is giving closer scrutiny to mergers and consolidations in a wide range of industries, including everything from defense and health care to telephones and airlines. It is also taking a harder look at the growing dominance of firms in the high-tech field, most notably Microsoft.

This revival of antitrust reflects a sea change from the 1980s, when deregulation and free markets were emphasized. Back then, antitrust was viewed as government meddling in the operation of free markets, and was rarely enforced. Antitrust regulators continue to approve most of the mergers then investigate, but the fact that they are investigating many more proposed mergers and, in certain cases, suing to block them is a notable development.

Purpose and enforcement: Antitrust law has its origins in the Progressive Era of the late 19th Century. The landmark laws of the time, the Sherman Act of 1890 and the Clayton Act of 1914, aimed at curbing the power of trusts, the large combinations of industrial interests. The Sherman Act bars combinations which unreasonably restrain trade. The clearest example of a violation would be competitors in a given industry agreeing to fix prices. The Act also prohibits a dominant firm in a given market from acting to monopolize commerce in that market. The Clayton Act forbids mergers which have the effect of substantially lessening competition or creating a monopoly. What precisely these vaguely-worded statutes require has been left to the courts and regulators to decide over the years.

Antitrust law has two primary objectives. First, it seeks to promote vigorous competition in the U.S. economy. Competition is desirable because it tends to keep costs and prices lower, encourage the efficient allocation of economic resources, and provide for innovation and consumer choice. The presumption of antitrust law is that the normal operation of the free markets will foster competition. Government will only step in where there is evidence of anti-competitive conduct. Second, antitrust law aims to limit the concentration of corporate power. The concern in the Progressive Era was that the large corporate trusts threatened to trample individual liberties, and that suspicion of big business persists.

Antitrust enforcement has waxed and waned over the years. While regulators brought some high-profile cases, including the one that broke up Standard Oil in 1911, enforcement in the early years was lax. The Great Depression ushered in a period of tougher enforcement as the American public demanded stricter regulation of corporations the pendulum swung back the other way in the 1980s, reflecting the Reagan Administration's preference for free markets. Antitrust enforcement is shifting again. The prevailing view today is that free markets work, but don't work perfectly and government intervention may be necessary to prevent overreaching by powerful market players.

The problem of mergers: The spate of mergers in the last five years has raised concerns, particularly about competition in industries where there are fewer and fewer competitors. The proposed Lockheed-Northrop deal, for example, would have limited competition in government contracts for key weapons systems, including airborne radar, missile warning systems, and military aircraft production. Likewise, the government successfully blocked the proposed merger of Staples and Office Depot because the merger would have effectively eliminated competition for certain office supplies in certain geographic markets.

Antitrust enforcement will often involve a fact-intensive weighing of the competitive costs and benefits of a proposed merger. Companies involved in the merger may argue, for example, that the merger improves economic efficiency by cutting overcapacity in the industry as well as overhead costs, or that the merger is needed to keep pace with overseas competition. Regulators will, in turn, try to assess how the proposed merger affects choice and price for the consumer, whether the consumer is the U.S. government, a small businessperson, or a private citizen. Regulators rarely block mergers outright, but rather seek to work with the parties to limit anti-competitive effects.

The problem of monopoly: Monopolization is a related concern for antitrust regulators, as demonstrated most recently by the Justice Department's battle with Microsoft, the computer software giant. Antitrust law has never been construed to say that merely because a firm is dominant it is engaging in illegal monopolistic conduct. If a firm dominates a market because of superior skill or energy, antitrust steps aside. If, however, a firm engages in unreasonably exclusionary or anticompetitive activities to stay on top, that kind of behavior will be challenged. The rationale is that monopolies tend to stifle innovation, which in the long run hurts the economy and the consumer.

Our new high-tech economy presents a difficult challenge for antitrust. On the one hand, high-tech companies like Microsoft have been on the cutting edge of innovation, transforming our economy, generating jobs and wealth, and boosting our competitiveness in the global marketplace. On the other hand, high-tech companies, particularly those that enjoy a dominant market position, may have opportunities to exploit consumers and crush potential rivals. The concern in the Microsoft case, for example, was that the company was using its dominance in the computer software industry to squeeze out competitors in the market for Internet software.

Government regulators have tried to strike a balanced approach in this area. They recognize that the high-tech industry is different—that companies must constantly innovate to stay ahead of their competitors and that government does not want to interfere with this beneficial process. They reason, nonetheless, that the high-tech sector is not immune to the risks associated with monopolies, and will take steps to ensure that companies play by the rules.

Conclusion: I accept the need for antitrust enforcement. After all, the economy is in the midst of an unprecedented wave of mergers. Antitrust authorities should review the competitive effects of proposed mergers, providing such reviews are based on facts and careful market analysis, not ideology. The government must be careful not to do more harm than good. Free markets may sometimes fail, but it does not follow that government can make things better.

# TRIBUTE TO NATHAN SHAPELL

## HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 22, 1998*

Mr. LANTOS. Mr. Speaker, on Thursday of this week, representatives of the Congress, the Administration, and the Supreme Court will gather in the Great Rotunda of this building for the National Civic Commemoration to remember the victims of the Holocaust. This annual national memorial service pays tribute to the six million Jews who died through senseless and systematic Nazi terror and brutality. At this somber commemoration, we will also honor those heroic American and other Allied forces who liberated the Nazi concentration camps over half a century ago.

Mr. Speaker, this past week *Fortune Magazine* (April 13, 1998) devoted several pages to an article entitled "Everything in History was Against Them," which profiles five survivors of Nazi savagery who came to the United States penniless and built fortunes here in their adopted homeland. It is significant, Mr. Speaker, that four of these five are residents of my home state of California. My dear friend Nathan Shapell of Los Angeles was one of the five that *Fortune Magazine* selected to highlight in this extraordinary article, and I want to pay tribute to him today.

Nate Shapell, like the other four singled out by *Fortune Magazine*, has a unique story, but there are common threads to these five tales of personal success. The story of the penniless immigrant who succeeds in America is a familiar theme in our nation's lore, but these stories involve a degree of courage and determination unmatched in the most inspiring of Horatio Alger's stories.

These men were, in the words of author Carol J. Loomis, "Holocaust survivors in the most rigorous sense," they "actually experienced the most awful horrors of the Holocaust, enduring a Nazi death camp or a concentration camp or one of the ghettos that were essentially holding pens for those camps."

They picked themselves up "from the very cruelest of circumstances, they traveled to America and prospered as businessmen. They did it, to borrow a phrase from Elie Wiesel, when everything in history was against them." They were teenagers or younger when World War II began. They lost six years of their youth and six years of education. "They were deprived of liberty and shorn of dignity. All lost relatives, and most lost one or both parents. Each . . . was forced to live constantly with the threat of death and the knowledge that next time he might be 'thumbed' not into a line of prisoners allowed to live, but into another line headed for the gas chambers." Through luck and the sheer will to survive, these were some of the very fortunate who lived to tell the story of that horror.

The second part of their stories is also similar—a variant of the American dream. These courageous men came to the United States with "little English and less money." Despite their lack of friends and mentors, they found the drive to succeed. As Loomis notes, "many millions who were unencumbered by the heavy, exhausting baggage of the Holocaust had the same opportunities and never reached out to seize them as these men did." Their

success in view of the immense obstacles that impeded their path makes their stories all the more remarkable.

One other element that is also common to these five outstanding business leaders—they are "Founders" of the U.S. Holocaust Memorial Museum here in Washington, D.C. They have shown a strong commitment to remembering the brutal horrors of the Holocaust, paying honor to its victims, and working to prevent the repetition of this vicious inhumanity.

Mr. Speaker, Nathan Shapell is one of the five Holocaust survivors and leading American entrepreneurs highlighted in this article. Nate is the Chairman of Shapell Industries in Los Angeles. As we here in the Congress mark the annual Days of Remembrance in honor of the victims of Nazi terror, I ask that the profile of Nate Shapell from *Fortune Magazine* be placed in the RECORD.

[From *Fortune*, April 13, 1998]

NATHAN SHAPELL—CHAIRMAN, SHAPELL INDUSTRIES

Nathan Shapell's history illustrates two truths about the Holocaust. First, by sharp and courageous use of his wits, a Jew could often greatly improve his chances of surviving. Second, in the end he practically always needed luck as well.

Now 76, Shapell (originally named Schapelski) was the youngest of five children in a family that lived in the western Poland city of Sosnowiec. After the Nazis invaded Poland, though, the father and two of his children scattered, leaving Nathan, then still in his teens, the only male in a household of four. Growing up quickly, he got decent work in the city's sanitation department and also gained the favor of certain German officials by managing to get them scarcities such as textiles and meat. For nearly three years Shapell's standing with these Germans not only kept his family safe but also allowed him repeatedly to help other Jews.

In the summer of 1942, however, Shapell's mother and hundreds of other Sosnowiec Jews were rounded up and incarcerated in a part of the city called Targowa. Frantic but able once more to tap the help of his Germans, Nathan got past Targowa's guards on the pretense that he was going in to survey the sanitation needs of the area. Making his way through crowds of desperate Jews, he finally found his mother, gave her food, and promised her help.

But he also realized that the sanitation arm band he wore might be the key to more rescues. Later that day he told the authorities that Targowa's sanitation needs were large, and secured permission to go into the area at least daily with a small crew. Over the next few days, he and his men entered just before a shift change for the guards, with each member of his crew wearing a sanitation arm band—and with a few more arm bands stuffed into Shapell's pocket. These he gave to male prisoners, who each day exited, trying to appear nonchalant, with the crews and their refuse-loaded carts. The discovery of this ruse would almost certainly have meant death for all concerned, but the guards on the new shifts never caught on.

Next Shapell focused on the huge pots of soup that were each day carried into Targowa and later taken out empty. Shapell and his men instead filled them up with small children (warned to total silence) and then boldly carried out the pots, as if they were simply helping with the day's chores. A half-dozen or so children, most thrust at the men by their parents, were rescued that way and released outside the gate. One, a small